

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABU DHABI COMMERCIAL BANK, et al.,

Plaintiffs,

-against-

MORGAN STANLEY & CO., INC., et al.,

Defendants.

Civil Action No. 1:08-cv-07508-SAS-DCF

NOTICE OF DEFENDANTS' OMNIBUS MOTION
IN LIMINE

ORAL ARGUMENT REQUESTED

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PLEASE TAKE NOTICE that, upon the accompanying Omnibus Memorandum of Law in Support of Their Motion in Limine, defendants hereby move this Court before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an order excluding documents and testimony concerning (1) the rating processes for structured finance products other than the Cheyne SIV Notes; (2) persons who were not responsible for rating the Cheyne SIV Notes; (3) (a) Morgan Stanley's loan due diligence; (b) Morgan Stanley's securitization business and residential mortgage-backed security assets sponsored by Morgan Stanley; (c) Morgan Stanley's personnel who worked exclusively on the Morgan Stanley warehouse; (d) Morgan Stanley, unrelated to and post-dating the structuring of the SIV; (4) defendants' revenues unrelated to the Cheyne SIV; (5) after-the-fact-commentary on the financial crisis, including government testimony or reports and other lawsuits against defendants; and (6) the treatment of home equity loans as liquidity eligible assets. Defendants also seek an order precluding plaintiff witnesses from testifying as to subjects about which their corporate designees disclaimed knowledge.

Respectfully submitted.

Dated: January 21, 2013
New York, New York

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